

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CENGAGE LEARNING, INC., BEDFORD,
FREEMAN & WORTH PUBLISHING GROUP, LLC
d/b/a MACMILLAN LEARNING, MCGRAW HILL
LLC, and PEARSON EDUCATION, INC.,

Plaintiffs,

v.

DOES 1 – 50 d/b/a Library Genesis, bookwarrior,
cdn1.booksdl.org, jlibgen.tk, libgen.ee, libgen.fun,
libgen.gs, libgen.is, libgen.lc, libgen.li, libgen.pm,
libgen.rocks, libgen.rs, libgen.space, libgen.st,
libgen.su, library.lol, and llhf.com,

Defendants.

Civil Action No. 23-cv-08136-CM

**DECLARATION OF KEVIN LINDSEY
IN SUPPORT OF PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT**

I, Kevin Lindsey, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an associate at Oppenheim + Zembrak, LLP, which represents Cengage Learning, Inc., Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning, McGraw Hill LLC, and Pearson Education, Inc. (collectively, "Plaintiffs") in this action. I make the statements herein based on personal knowledge and/or my review of the documents and information referenced herein. If called upon to do so, I am able to testify competently to the matters set forth below.

2. I submit this declaration in support of Plaintiffs' Request for Entry of Default.

3. On September 14, 2023, Plaintiffs filed the Complaint in this action against Defendants Does 1-50 d/b/a Library Genesis, bookwarrior, cdn1.booksdl.org, jlibgen.tk, libgen.ee, libgen.fun, libgen.gs, libgen.is, libgen.lc, libgen.li, libgen.pm, libgen.rocks, libgen.rs, libgen.space, libgen.st, libgen.su, library.lol, and llhf.com (collectively, "Defendants"). *See* ECF No. 1.

4. On October 10, 2023, the Court issued its Memo Endorsement granting Plaintiffs' Motion to Serve Defendants by Email. *See* ECF No. 17. On October 17, 2023, Plaintiffs' counsel caused copies of the Complaint and Summons to be served on Defendants using the electronic means listed the Declaration of Service. *See* October 23, 2023 Decl. of Service, ECF No. 20.

5. Plaintiffs have not received an Answer or any other responsive pleading to the Complaint from Defendants, and no such documents appear to have been filed with the Court. Further, no Defendant has otherwise appeared in this action. Thus, Defendants have failed to plead or otherwise defend in this action.

6. Due to Defendants' default, Plaintiffs have been unable to further identify the Defendants beyond their "doing business as" information set forth in the Complaint and subsequent filings. Accordingly, in this default proceeding, Plaintiffs continue to identify Defendants as "Does 1-50," along with their additional "doing business as" information. *See, e.g.*, Summons (ECF No. 19), Attachment A.

7. Plaintiffs are aware of no reason to believe that Defendants are infants, in the military, or incompetent persons.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin Lindsey

Executed on this 21st day of November 2023 in Washington, D.C.